



#4/56
8-9-02

12013/58401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of James J. Barry, et al.

Group Art Unit: 3738

Application No.: 09/842,833

Examiner: Stewart

Filed: April 27, 2001

Docket No.: 12013/58401

For: METHOD AND SYSTEM FOR DELIVERY OF COATED
IMPLANTS

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RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

Sir:

The undersigned files this paper in response to the July 18, 2002 Office Action, which set a shortened statutory period of response of one month extending to and including August 18, 2002.

The Office Action asserts that restriction "is required under 35 U.S.C. § 121" and identifies three groups of inventions.

In response and without prejudice to or disclaimer of the non-elected claims, the undersigned elects Group I (Claims 1-14) and Species I (Fig. 1-3) for further prosecution on the merits.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees related to this communication to Kenyon & Kenyon deposit account No. 11-0600.

Respectfully submitted,

KENYON & KENYON

Douglas E. Ringel
Reg. No. 34,416

Date: 1 Aug. 2002